

FORM B1

**United States Bankruptcy Court**  
**Northern District of Illinois**  
**Eastern Division**

**Voluntary Petition**

Name of Debtor (if individual, enter Last, First, Middle): <b>Butcher, Eugene A.</b>	Name of Joint Debtor (Spouse)(Last, First, Middle): <b>Butcher, Wendy J.</b>
All Other Names used by the Debtor in the last 6 years (include married, maiden, and trade names):	All Other Names used by the Joint Debtor in the last 6 years (include married, maiden, and trade names):
Soc. Sec./Tax I.D. No. (if more than one, state all): <b>xxx-xx-3937</b>	Soc. Sec./Tax I.D. No. (if more than one, state all): <b>xxx-xx-4612</b>
Street Address of Debtor (No. & Street, City, State & Zip Code): <b>828 Lily Cache Lane Bolingbrook, IL 60440</b>	Street Address of Joint Debtor (No. & Street, City, State & Zip Code): <b>828 Lily Cache Lane Bolingbrook, IL 60440</b>
County of Residence or of the Principal Place of Business: <b>Will</b>	County of Residence or of the Principal Place of Business: <b>Will</b>
Mailing Address of Debtor (if different from street address):	Mailing Address of Joint Debtor (if different from street address):

Location of Principal Assets of Business Debtor  
(if different from street address above):

**Information Regarding the Debtor (Check the Applicable Boxes)**

Venue (Check any applicable box)

- ☒ Debtor has been domiciled or has had a residence, principal place of business, or principal assets in this District for 180 days immediately preceding the date of this petition or for a longer part of such 180 days than in any other District.
- ☐ There is a bankruptcy case concerning debtor's affiliate, general partner, or partnership pending in this District.

**Type of Debtor (Check all boxes that apply)**

- ☒ Individual(s) ☐ Railroad  
☐ Corporation ☐ Stockbroker  
☐ Partnership ☐ Commodity Broker  
☐ Other \_\_\_\_\_

**Chapter or Section of Bankruptcy Code Under Which  
the Petition is Filed (Check one box)**

- ☐ Chapter 7 ☐ Chapter 11 ☒ Chapter 13  
☐ Chapter 9 ☐ Chapter 12  
☐ Sec. 304 - Case ancillary to foreign proceeding

**Nature of Debts (Check one box)**

- ☒ Consumer/Non-Business ☐ Business

**Filing Fee (Check one box)**

- ☒ Full Filing Fee Attached  
☐ Filing Fee to be paid in installments (Applicable to individuals only)  
 Must attach signed application for the court's consideration certifying that the debtor is unable to pay fee except in installments.  
 Rule 1006(b). See Official Form No. 3.

**Chapter 11 Small Business (Check all boxes that apply)**

- ☐ Debtor is a small business as defined in 11 U.S.C. § 101  
☐ Debtor is and elects to be considered a small business under 11 U.S.C. § 1121(e) (Optional)

**Statistical/Administrative Information (Estimates only)**

- ☒ Debtor estimates that funds will be available for distribution to unsecured creditors.  
☐ Debtor estimates that, after any exempt property is excluded and administrative expenses paid, there be no funds available for distribution to unsecured creditors.

THIS SPACE IS FOR COURT USE ONLY

Estimated Number of Creditors	1-15 <input type="checkbox"/>	16-49 <input checked="" type="checkbox"/>	50-99 <input type="checkbox"/>	100-199 <input type="checkbox"/>	200-999 <input type="checkbox"/>	1000-over <input type="checkbox"/>	
Estimated Assets	\$0 to \$50,000 <input type="checkbox"/>	\$50,001 to \$100,000 <input type="checkbox"/>	\$100,001 to \$500,000 <input checked="" type="checkbox"/>	\$500,001 to \$1 million <input type="checkbox"/>	\$1,000,001 to \$10 million <input type="checkbox"/>	\$10,000,001 to \$50 million <input type="checkbox"/>	\$50,000,001 to \$100 million <input type="checkbox"/>
Estimated Debts	\$0 to \$50,000 <input type="checkbox"/>	\$50,001 to \$100,000 <input type="checkbox"/>	\$100,001 to \$500,000 <input checked="" type="checkbox"/>	\$500,001 to \$1 million <input type="checkbox"/>	\$1,000,001 to \$10 million <input type="checkbox"/>	\$10,000,001 to \$50 million <input type="checkbox"/>	\$50,000,001 to \$100 million <input type="checkbox"/>

**U.S. Bankruptcy Court**  
**Northern District of Illinois**

**Filed: 11/16/2004**

**Time: 12:25:19**

**Debtor: EUGENE A BUTCHER**

**Case: 04-42516 Fee: 194**

**Chapter: 13 Rec. #: 3111369**

**Judge: Bruce Black**

**341 mtg: 12/22/2004 @ 12:00PM**

**ConfHrg: 01/07/2005 @ 11:00AM**

**Trustee: GLENN STEARNS**



1:04BK42516-BK001

**KENNETH S. GARDNER, CLERK**  
**PUBLIC SERVICE COUNTER**

**Voluntary Petition**

Page 2 of 2

Page 2

(This page must be completed and filed in every case.)

Name of Debtors:  
**Eugene A. Butcher**  
**Wendy J. Butcher****Prior Bankruptcy Case Filed Within Last 6 Years (If more than one, attach additional sheet)**Location  
Where Filed: **Northern District, Eastern Division**Case Number:  
**03-49565**Date Filed:  
**12/09/2003****Pending Bankruptcy Case Filed by any Spouse, Partner or Affiliate of this Debtor (If more than one, attach additional sheet)**

Name of Debtor:

Case Number:

Date Filed:

District:

Relationship:

Judge:

**Signatures****Signature(s) of Debtor(s) (Individual/Joint)**

I declare under penalty of perjury that the information provided in this petition is true and correct.

[If petitioner is an individual whose debts are primarily consumer debts and has chosen to file under chapter 7] I am aware that I may proceed under chapter 7, 11, 12 or 13 of title 11, United States Code, understand the relief available under each such chapter, and choose to proceed under chapter 7.

I request relief in accordance with the chapter of title 11, United States Code, specified in this petition.

X

Signature of Debtor

X

Signature of Joint Debtor

Telephone Number (If not represented by attorney)

Date

**Signature of Attorney**

X

Signature of Attorney for Debtor(s)

**Terence M. Fenelon, 03126087**

Printed Name of Attorney for Debtor(s) / Bar No.

**Law Offices of Terence M. Fenelon**

Firm Name

**445 W. Jackson # 107**

Address

**Naperville, IL****(630)717-1255**

Telephone Number

Date

**Exhibit A**

(To be completed if debtor is required to file periodic reports (e.g., forms 10K and 10Q) with the Securities and Exchange Commission pursuant to Section 13 or 15(d) of the Securities Exchange Act of 1934 and is requesting relief under chapter 11)

☐ Exhibit A is attached and made a part of this petition.**Exhibit B**

(To be completed if debtor is an individual whose debts are primarily consumer debts)

I, the attorney for the petitioner named in the foregoing petition, declare that I have informed the petitioner that [he/she] may proceed under chapter 7, 11, 12 or 13 of title 11, United States Code, and have explained the relief available under each such chapter.

Signature of Attorney for Debtor(s)

Date

**Signature(s) of Debtor (Corporation/Partnership)**

I declare under penalty of perjury that the information provided in this petition is true and correct, and that I have been authorized to file this petition on behalf of the debtor.

The debtor requests relief in accordance with the chapter of title 11, United States Code, specified in this petition.

X **Not Applicable**

Signature of Authorized Individual

Print or Type Name of Authorized Individual

Title of Authorized Individual

Date

**Signature of Non-Attorney Petition Preparer**

I certify that I am a bankruptcy petition preparer as defined in 11 U.S.C. § 110, that I prepared this document for compensation, and that I have provided the debtor with a copy of this document.

**Not Applicable**

Printed Name of Bankruptcy Petition Preparer

Social Security Number

Address

Names and Social Security numbers of all other individuals who prepared or assisted in preparing this document:

If more than one person prepared this document, attach additional sheets conforming to the appropriate official form for each person.

X **Not Applicable**

Signature of Bankruptcy Petition Preparer

Date

A bankruptcy petition preparer's failure to comply with the provisions of title 11 and the Federal Rules of Bankruptcy Procedure may result in fines or imprisonment or both. 11 U.S.C. § 110; 18 U.S.C. § 156.

**United States Bankruptcy Court  
Northern District of Illinois**

**Eastern Division**

In re **Eugene A. Butcher**  
**xxx-xx-3937**

**Wendy J. Butcher**  
**xxx-xx-4612**

Case No.  
Chapter **13**

**SUMMARY OF SCHEDULES**

AMOUNTS SCHEDULED

NAME OF SCHEDULE	ATTACHED (YES/NO)	NO. OF SHEETS	ASSETS	LIABILITIES	OTHER
A - Real Property	YES	1	\$ 151,000.00		
B - Personal Property	YES	3	\$ 5,773.00		
C - Property Claimed As Exempt	YES	1			
D - Creditors Holding Secured Claims	YES	1		\$ 81,629.00	
E - Creditors Holding Unsecured Priority Claims	YES	1		\$ 0.00	
F - Creditors Holding Unsecured Nonpriority Claims	YES	4		\$ 74,782.73	
G - Executory Contracts and Unexpired Leases	YES	1			
H - Codebtors	YES	1			
I - Current Income of Individual Debtor(s)	YES	1			\$ 3,339.43
J - Current Expenditures of Individual Debtor(s)	YES	1			\$ 2,670.25
Total Number of sheets in ALL Schedules >		15			
Total Assets >			\$ 156,773.00		
Total Liabilities >				\$ 156,411.73	

In re: Eugene A. Butcher

Wendy J. Butcher

Case No.

xxx-xx-3937

xxx-xx-4612

**SCHEDULE A - REAL PROPERTY**

DESCRIPTION AND LOCATION OF PROPERTY	NATURE OF DEBTOR'S INTEREST IN PROPERTY	HUSBAND, WIFE, JOINT OR COMMUNITY	CURRENT MARKET VALUE OF DEBTOR'S INTEREST IN PROPERTY WITHOUT DEDUCTING ANY SECURED CLAIM OR EXEMPTION	AMOUNT OF SECURED CLAIM
828 Lily Cache Lane, Bolingbrook, IL 60440	Fee Owner	J	\$ 151,000.00	\$ 81,600.00
Total >			\$ 151,000.00	

(Report also on Summary of Schedules.)

In re **Eugene A. Butcher**  
**xxx-xx-3937****Wendy J. Butcher**  
**xxx-xx-4612**

Case No.

**SCHEDULE B - PERSONAL PROPERTY**

TYPE OF PROPERTY	NONE	DESCRIPTION AND LOCATION OF PROPERTY	HUSBAND, WIFE, JOINT OR COMMUNITY	CURRENT MARKET VALUE OF DEBTOR'S INTEREST IN PROPERTY, WITHOUT DEDUCTING ANY SECURED CLAIM OR EXEMPTION
1. Cash on hand		Cash	J	40.00
2. Checking, savings or other financial accounts, certificates of deposit, or shares in banks, savings and loan, thrift, building and loan, and homestead associations, or credit unions, brokerage houses, or cooperatives.		Checking	J	385.00
3. Security deposits with public utilities, telephone companies, landlords, and others.	X			
4. Household goods and furnishings, including audio, video, and computer equipment.		Furniture and Household Goods	J	565.00
5. Books, pictures and other art objects, antiques, stamp, coin, record, tape, compact disc, and other collections or collectibles.	X			
6. Wearing apparel.		Clothing	J	200.00
7. Furs and jewelry.		Wedding Rings	J	150.00
8. Firearms and sports, photographic, and other hobby equipment.		Sports Equipment	J	50.00
9. Interests in insurance policies. Name insurance company of each policy and itemize surrender or refund value of each.		Insurance Policy	H	2,383.00
10. Annuities. Itemize and name each issuer.	X			
11. Interests in IRA, ERISA, Keogh, or other pension or profit sharing plans. Itemize.	X			
12. Stock and interests in incorporated and unincorporated businesses. Itemize.	X			
13. Interests in partnerships or joint ventures. Itemize.	X			
14. Government and corporate bonds and other negotiable and nonnegotiable instruments.	X			

In re **Eugene A. Butcher**  
**xxx-xx-3937****Wendy J. Butcher**  
**xxx-xx-4612**

Case No.

**SCHEDULE B - PERSONAL PROPERTY**

(Continuation Sheet)

TYPE OF PROPERTY	NONE	DESCRIPTION AND LOCATION OF PROPERTY	HUSBAND, WIFE, JOINT OR COMMUNITY	CURRENT MARKET VALUE OF DEBTOR'S INTEREST IN PROPERTY, WITHOUT DEDUCTING ANY SECURED CLAIM OR EXEMPTION
15. Accounts receivable.	X			
16. Alimony, maintenance, support, and property settlements to which the debtor is or may be entitled. Give particulars.	X			
17. Other liquidated debts owing debtor including tax refunds. Give particulars.	X			
18. Equitable or future interests, life estates, and rights or powers exercisable for the benefit of the debtor other than those listed in Schedule of Real Property.	X			
19. Contingent and non-contingent interests in estate of a decedent, death benefit plan, life insurance policy, or trust.	X			
20. Other contingent and unliquidated claims of every nature, including tax refunds, counterclaims of the debtor, and rights to setoff claims. Give estimated value of each.	X			
21. Patents, copyrights, and other intellectual property. Give particulars.	X			
22. Licenses, franchises, and other general intangibles. Give particulars.	X			
23. Automobiles, trucks, trailers, and other vehicles.		1988 Ford F150	J	1,800.00
24. Boats, motors, and accessories.	X			
25. Aircraft and accessories.	X			
26. Office equipment, furnishings, and supplies.		Office Equipment	H	200.00
27. Machinery, fixtures, equipment and supplies used in business.	X			
28. Inventory.	X			
29. Animals.	X			

In re **Eugene A. Butcher**  
**xxx-xx-3937**

**Wendy J. Butcher**  
**xxx-xx-4612**

Case No.

**SCHEDULE B - PERSONAL PROPERTY**

(Continuation Sheet)

TYPE OF PROPERTY	NONE	DESCRIPTION AND LOCATION OF PROPERTY	HUSBAND, WIFE, JOINT OR COMMUNITY	CURRENT MARKET VALUE OF DEBTOR'S INTEREST IN PROPERTY, WITHOUT DEDUCTING ANY SECURED CLAIM OR EXEMPTION
30. Crops - growing or harvested. Give particulars.	X			
31. Farming equipment and implements.	X			
32. Farm supplies, chemicals, and feed.	X			
33. Other personal property of any kind not already listed. Itemize.	X			
_____ continuation sheets attached				<b>Total &gt; \$ 5,773.00</b>

(Include amounts from any continuation sheets attached. Report total also on Summary of Schedules.)

In re **Eugene A. Butcher**  
**xxx-xx-3937**

**Wendy J. Butcher**  
**xxx-xx-4612**

Case No.

## SCHEDULE C - PROPERTY CLAIMED AS EXEMPT

Debtor elects the exemption to which debtor is entitled under:

(Check one box)

☐ 11 U.S.C. § 522(b)(1) Exemptions provided in 11 U.S.C. § 522(d). Note: These exemptions are available only in certain states.

☒ 11 U.S.C. § 522(b)(2) Exemptions available under applicable nonbankruptcy federal laws, state or local law where the debtor's domicile has been located for the 180 days immediately preceding the filing of the petition, or for a longer portion of the 180-day period than in any other place, and the debtor's interest as a tenant by the entirety or joint tenant to the extent the interest is exempt from process under applicable nonbankruptcy law.

DESCRIPTION OF PROPERTY	SPECIFIC LAW PROVIDING EACH EXEMPTION	VALUE OF CLAIMED EXEMPTION	CURRENT MARKET VALUE OF PROPERTY, WITHOUT DEDUCTING EXEMPTIONS
1988 Ford F150	735 ILCS 5/12-1001(c)	1,800.00	1,800.00
828 Lily Cache Lane, Bolingbrook	735 ILCS 5/12-901	15,000.00	151,000.00
Cash	735 ILCS 5/12-1001(b)	40.00	40.00
Checking	735 ILCS 5/12-1001(b)	385.00	385.00
Clothing	735 ILCS 5/12-1001(a),(e)	200.00	200.00
Furniture and Household Goods	735 ILCS 5/12-1001(b)	565.00	565.00
Insurance Policy	735 ILCS 5/12-1001(b)	2,383.00	2,383.00
Office Equipment	735 ILCS 5/12-1001(b)	200.00	200.00
Sports Equipment	735 ILCS 5/12-1001(b)	50.00	50.00
Wedding Rings	735 ILCS 5/12-1001(b)	150.00	150.00



In re: Eugene A. Butcher

Wendy J. Butcher

Case No.

xxx-xx-3937

xxx-xx-4612

**SCHEDULE D - CREDITORS HOLDING SECURED CLAIMS**☐ Check this box if debtor has no creditors holding secured claims to report on this Schedule D.

CREDITOR'S NAME AND MAILING ADDRESS INCLUDING ZIP CODE	CODEBTOR HUSBAND, WIFE, JOINT OR COMMUNITY	DATE CLAIM WAS INCURRED, NATURE OF LIEN, AND DESCRIPTION AND MARKET VALUE OF PROPERTY SUBJECT TO LIEN	CONTINGENT	UNLIQUIDATED	DISPUTED	AMOUNT OF CLAIM WITHOUT DEDUCTING VALUE OF COLLATERAL	UNSECURED PORTION, IF ANY
ACCOUNT NO. <b>00419700134484</b>  <b>Bank One</b> <b>P.O. Box 3211</b> <b>Milwaukee, WI 53201-3211</b>	J	<b>Security Agreement</b> <b>828 Lily Cache Lane,</b> <b>Bolingbrook, IL 60440</b>  <b>VALUE \$160,000.00</b>				<b>15,529.00</b>	<b>0.00</b>
ACCOUNT NO.  <b>Mid First Bank</b> <b>c/o Fisher &amp; Fisher</b> <b>120 N. LaSalle St., #2520</b> <b>Chicago, IL 60602</b>	J	<b>Security Agreement</b> <b>828 Lily Cache Lane,</b> <b>Bolingbrook, IL 60440</b>  <b>VALUE \$160,000.00</b>				<b>16,100.00</b>	<b>0.00</b>
ACCOUNT NO. <b>31165145</b>  <b>Midland Mortgage Co.</b> <b>P.O. Box 26648</b> <b>Oklahoma City, OK 73126-0648</b>	J	<b>Mortgage</b> <b>828 Lily Cache Lane,</b> <b>Bolingbrook, IL 60440</b>  <b>VALUE \$160,000.00</b>				<b>50,000.00</b>	<b>0.00</b>

Subtotal

&gt;

**\$81,629.00**

Total

&gt;

**\$81,629.00**

(Report total also on Summary of Schedules)

In re: Eugene A. Butcher  
xxx-xx-3937

Wendy J. Butcher  
xxx-xx-4612

Case No.

## SCHEDULE E - CREDITORS HOLDING UNSECURED PRIORITY CLAIMS

☒ Check this box if debtor has no creditors holding unsecured claims to report on this Schedule E.

### TYPES OF PRIORITY CLAIMS

☐ Extensions of credit in an involuntary case

Claims arising in the ordinary course of the debtor's business or financial affairs after the commencement of the case but before the earlier of the appointment of a trustee or the order for relief. 11 U.S.C. § 507(a)(2).

☐ Wages, salaries, and commissions

Wages, salaries, and commissions, including vacation, severance, and sick leave pay owing to employees and commissions owing to qualifying independent sales representatives up to \$4300\* per person earned within 90 days immediately preceding the filing of the original petition, or the cessation of business, whichever occurred first, to the extent provided in 11 U.S.C. § 507(a)(3).

☐ Contributions to employee benefit plans

Money owed to employee benefit plans for services rendered within 180 days immediately preceding the filing of the original petition, or the cessation of business, whichever occurred first, to the extent provided in 11 U.S.C. § 507(a)(4).

☐ Certain farmers and fishermen

Claims of certain farmers and fishermen, up to \$4300\* per farmer or fisherman, against the debtor, as provided in 11 U.S.C. § 507(a)(5).

☐ Deposits by individuals

Claims of individuals up to \$1,950\* for deposits for the purchase, lease, or rental of property or services for personal, family, or household use, that were not delivered or provided. 11 U.S.C. § 507(a)(6).

☐ Alimony, Maintenance, or Support

Claims of a spouse, former spouse, or child of the debtor for alimony, maintenance, or support, to the extent provided in 11 U.S.C. § 507(a)(7).

☐ Taxes and Certain Other Debts Owed to Governmental Units

Taxes, customs duties, and penalties owing to federal, state, and local governmental units as set forth in 11 U.S.C. § 507(a)(8).

☐ Commitments to Maintain the Capital of an Insured Depository Institution

Claims based on commitments to the FDIC, RTC, Director of the Office of Thrift Supervision, Comptroller of the Currency, or Board of Governors of the Federal Reserve System, or their predecessors or successors, to maintain the capital of an insured depository institution. 11 U.S.C. § 507(a)(9).

☐ Other Priority Debts

\* Amounts are subject to adjustment on April 1, 1998, and every three years thereafter with respect to cases commenced on or after the date of adjustment.

Subtotal (Total of this page)	>	\$0.00
Total	>	\$0.00

In re: Eugene A. Butcher

Wendy J. Butcher

Case No.

xxx-xx-3937

xxx-xx-4612

**SCHEDULE F - CREDITORS HOLDING UNSECURED NONPRIORITY CLAIMS**☐ Check this box if debtor has no creditors holding unsecured nonpriority claims to report on this Schedule F.

CREDITOR'S NAME AND MAILING ADDRESS INCLUDING ZIP CODE	CODEBTOR HUSBAND, WIFE, JOINT OR COMMUNITY	DATE CLAIM WAS INCURRED, AND CONSIDERATION FOR CLAIM. IF CLAIM IS SUBJECT TO SETOFF, SO STATE	CONTINGENT	UNLIQUIDATED	DISPUTED	AMOUNT OF CLAIM
ACCOUNT NO. 4319-0300-0556-1555  Bank of America P.O. Box 5270 Carol Stream, IL 60197-5270  National Asset Management P.O. Box 723477 Atlanta, GA 31139		Consumer Purchases				3,894.00
ACCOUNT NO. 25-0025-160-1  Carson Pirie Scott P.O. Box 17633 Baltimore, MD 21297-1633	J	Consumer Purchases				577.31
ACCOUNT NO. 5260-3152-4001-1250  Chase Manhattan Bank P.O. Box 52195 Phoenix, AZ 85072-2195  Schreiber & Associates P.O. Box 210 Danvers, MA 01923	W	Consumer Purchases				1,885.00
ACCOUNT NO. 4128-0021-6042-6745  Citi Corp. Visa P.O. Box 6000 The Lakes, NV 89165-6000  National Financial Systems P.O. Box 9046 Hicksville, NY 11801	W	Consumer Purchases				9,276.00

In re: Eugene A. Butcher  
xxx-xx-3937Wendy J. Butcher  
xxx-xx-4612

Case No.

**SCHEDULE F - CREDITORS HOLDING UNSECURED NONPRIORITY CLAIMS**

(Continuation Sheet)

CREDITOR'S NAME AND MAILING ADDRESS INCLUDING ZIP CODE	CODEBTOR	HUSBAND, WIFE, JOINT OR COMMUNITY	DATE CLAIM WAS INCURRED, AND CONSIDERATION FOR CLAIM. IF CLAIM IS SUBJECT TO SETOFF, SO STATE	CONTINGENT	UNLIQUIDATED	DISPUTED	AMOUNT OF CLAIM
ACCOUNT NO. 6011-00764952-0458  Discover P.O. Box 15251 Wilmington, DE 19886-5251  RMA 11214 Renner Rd. Lenexa, KS 66219 Ref #: 86391781030			Consumer Purchases				11,152.00
ACCOUNT NO. 6011-2989-9722-6737  Discover P.O. Box 6000 Dover, DE 19903-6000  Baker, Miller, Markoff & Krasny 11 S. LaSalle St Chicago, IL 60603-1203			Consumer Purchases				1,750.00
ACCOUNT NO. 4791-3380-0524-3836  First USA P.O. Box 50882 Henderson, NV 89016-0882  Financial Asset Management P.O. Box 620429 Atlanta, GA 30362		W	Consumer Purchases				7,810.00
ACCOUNT NO. 4366-1110-1249-9799  First USA P.O. Box 50882 Henderson, NV 89016-0882  Capital Management 726 Exchange St., Ste. 700 Buffalo, NY 14210			Consumer Purchases				11,897.00

In re: Eugene A. Butcher  
xxx-xx-3937Wendy J. Butcher  
xxx-xx-4612

Case No.

**SCHEDULE F - CREDITORS HOLDING UNSECURED NONPRIORITY CLAIMS**

(Continuation Sheet)

CREDITOR'S NAME AND MAILING ADDRESS INCLUDING ZIP CODE	CODEBTOR HUSBAND, WIFE, JOINT OR COMMUNITY	DATE CLAIM WAS INCURRED, AND CONSIDERATION FOR CLAIM. IF CLAIM IS SUBJECT TO SETOFF, SO STATE	CONTINGENT	UNLIQUIDATED	DISPUTED	AMOUNT OF CLAIM
ACCOUNT NO. 4673-616-165-213  First USA P.O. Box 15153 Wilmington, DE 19886-5153  Protocol Recovery Service 509 Mercer Av. Panama City, FL 32401		Consumer Purchases				4,790.00
ACCOUNT NO. 360-764-190-5  J. C. Penney P.O. Box 981131 El Paso, TX 79998  Arrow Financial Services 21031 Network Place Chicago, IL 60673-1210 Ref #: CG8893607641903		Consumer Purchases				2,600.00
ACCOUNT NO. 017-9261-136  Kohl's P.O. Box 2983 Milwaukee, WI 53201-2983	W	Consumer Purchases				1,082.42
ACCOUNT NO. 3-881-711-755-10  Marshall Fields P.O. Box 59228 Minneapolis, MN 55459-0228  Meyer & Njus 111 N. State St, 11th Floor Ste. 93 Chicago, IL 60602 Ref #: 62-04145-03311-30	J	Consumer Purchases				1,000.00

In re: Eugene A. Butcher  
xxx-xx-3937Wendy J. Butcher  
xxx-xx-4612

Case No.

**SCHEDULE F - CREDITORS HOLDING UNSECURED NONPRIORITY CLAIMS**

(Continuation Sheet)

CREDITOR'S NAME AND MAILING ADDRESS INCLUDING ZIP CODE	CODEBTOR HUSBAND, WIFE, JOINT OR COMMUNITY	DATE CLAIM WAS INCURRED, AND CONSIDERATION FOR CLAIM. IF CLAIM IS SUBJECT TO SETOFF, SO STATE	CONTINGENT	UNLIQUIDATED	DISPUTED	AMOUNT OF CLAIM
ACCOUNT NO. 6004-3009-0219-179  Menards P.O. Box 15521 Wilmington, DE 19850-5521  LDG Financial Services P.O. Box 1424 Norcross, GA 30091-1424		Consumer Purchases				1,371.00
ACCOUNT NO. 4489-0002-7704-8551  National City 6851 Jericho Turnpike S. Yossef, NY 11791  Northland Group P.O. Box 390846 Gdina, MN 55439 Ref #: 74842765-1	W	Consumer Purchases				8,474.00
ACCOUNT NO. 01-56137-16884-5  Sears P.O. Box 182149 Columbus, OH 43218-2149  Encore Receivable Management P.O. Box 3330 Olathe, KS 66063-3330		Consumer Purchases				5,876.00
ACCOUNT NO. 38-0057-338-2  Spiegel 9310 SW Gemini Rd Reaverton, OR 97078-0001  Midland Credit Management P.O. Box 939019 San Diego, CA 92193-9019 Ref #: 8504359178		Consumer Purchases				1,348.00

Subtotal  
(Total of this page) >

\$17,069.00

Total &gt;

\$74,782.73

In re: **Eugene A. Butcher**  
**xxx-xx-3937**

**Wendy J. Butcher**  
**xxx-xx-4612**

Case No.

## SCHEDULE G - EXECUTORY CONTRACTS AND UNEXPIRED LEASES

☒ Check this box if debtor has no executory contracts or unexpired leases.

NAME AND MAILING ADDRESS, INCLUDING ZIP CODE, OF OTHER PARTIES TO LEASE OR CONTRACT	DESCRIPTION OF CONTRACT OR LEASE AND NATURE OF DEBTOR'S INTEREST, STATE WHETHER LEASE IS FOR NONRESIDENTIAL REAL PROPERTY. STATE CONTRACT NUMBER OF ANY GOVERNMENT CONTRACT

In re: **Eugene A. Butcher**  
**xxx-xx-3937**

**Wendy J. Butcher**  
**xxx-xx-4612**

Case No.

## **SCHEDULE H - CODEBTORS**

☒ Check this box if debtor has no codebtors.

NAME AND ADDRESS OF CODEBTOR	NAME AND ADDRESS OF CREDITOR
------------------------------	------------------------------



In re **Eugene A. Butcher**  
xxx-xx-3937

**Wendy J. Butcher**  
xxx-xx-4612

Case No.

## SCHEDULE I - CURRENT INCOME OF INDIVIDUAL DEBTOR(S)

Debtor's Marital Status: <b>Married</b>	DEPENDENT'S OF DEBTOR AND SPOUSE		
Debtor's Age: <b>43</b> Spouse's Age: <b>41</b>	NAMES <b>None</b>	AGE	RELATIONSHIP
EMPLOYMENT: DEBTOR		SPOUSE	
Occupation <b>Handyman</b>		Office Clerk	
How long employed <b>2 1/2 Years</b>		<b>2 3/4 Years</b>	
Name and Address of Employer <b>Self-employed</b>		<b>Suburban Practice Management 1034 Warren Av. Downers Grove, IL 60515</b>	

Income: (Estimate of average monthly income)

Current monthly gross wages, salary, and commissions  
(pro rate if not paid monthly.)

Estimated monthly overtime

SUBTOTAL

LESS PAYROLL DEDUCTIONS

a. Payroll taxes and social security

b. Insurance

c. Union dues

d. Other (Specify) \_\_\_\_\_

SUBTOTAL OF PAYROLL DEDUCTIONS

TOTAL NET MONTHLY TAKE HOME PAY

Regular income from operation of business or profession or farm  
(attach detailed statement)

Income from real property

Interest and dividends

Alimony, maintenance or support payments payable to the debtor for the  
debtor's use or that of dependents listed above.

Social security or other government assistance  
(Specify) \_\_\_\_\_

Pension or retirement income

Other monthly income

(Specify) \_\_\_\_\_

TOTAL MONTHLY INCOME

TOTAL COMBINED MONTHLY INCOME \$ 3,339.43 (Report also on Summary of Schedules)

Describe any increase or decrease of more than 10% in any of the above categories anticipated to occur within the year following the filing of this document: **NONE**

In re Eugene A. Butcher

Wendy J. Butcher

Case No.

xxx-xx-3937

xxx-xx-4612

## SCHEDULE J - CURRENT EXPENDITURES OF INDIVIDUAL DEBTOR(S)

☐ Check this box if a joint petition is filed and debtor's spouse maintains a separate household. Complete a separate schedule of expenditures labeled "Spouse".

Rent or home mortgage payment (include lot rented for mobile home)	\$	1,180.00
Are real estate taxes included? Yes <input checked="" type="checkbox"/> No <input type="checkbox"/>		
Is property insurance included? Yes <input checked="" type="checkbox"/> No <input type="checkbox"/>		
Utilities Electricity and heating fuel	\$	150.00
Water and sewer	\$	60.00
Telephone	\$	65.00
Other Garbage Disposal	\$	10.00
Internet	\$	25.00
Mobile Phone	\$	40.00
Home Maintenance (Repairs and upkeep)	\$	100.00
Food	\$	400.00
Clothing	\$	25.00
Laundry and dry cleaning	\$	15.00
Medical and dental expenses	\$	25.00
Transportation (not including car payments)	\$	125.00
Recreation, clubs and entertainment, newspapers, magazines, etc.	\$	75.00
Charitable contributions	\$	80.00
Insurance (not deducted from wages or included in home mortgage payments)		
Homeowner's or renter's	\$	0.00
Life	\$	40.00
Health	\$	0.00
Auto	\$	60.25
Other	\$	80.00
Taxes (not deducted from wages or included in home mortgage payments)		
(Specify)	\$	0.00
Installment payments (In chapter 12 and 13 cases, do not list payments to be included in the plan)		
Auto	\$	0.00
Other	\$	0.00
Alimony, maintenance or support paid to others	\$	0.00
Payments for support of additional dependents not living at your home	\$	0.00
Regular expenses from operation of business, profession, or farm (attach detailed statement)	\$	0.00
Other Auto Maintenance	\$	75.00
Grooming	\$	40.00

TOTAL MONTHLY EXPENSES (Report also on Summary of Schedules)

\$ 2,670.25

(FOR CHAPTER 12 AND 13 DEBTORS ONLY)

Provide the information requested below, including whether plan payments are to be made bi-weekly, monthly, annually, or at some other regular interval.

A. Total projected monthly income	\$	3,339.42
B. Total projected monthly expenses	\$	2,670.25
C. Excess income (A minus B)	\$	669.17
D. Total amount to be paid into plan each	\$	669.17
	Monthly (interval)	

In re: **Eugene A. Butcher**  
**xxx-xx-3937**

**Wendy J. Butcher**  
**xxx-xx-4612**

Case No.

## DECLARATION CONCERNING DEBTOR'S SCHEDULES

### DECLARATION UNDER PENALTY OF PERJURY BY INDIVIDUAL DEBTOR

I declare under penalty of perjury that I have read the foregoing summary and schedules, consisting of 15 sheets plus the summary page, and that they are true and correct to the best of my knowledge, information, and belief.

Date:

11-15-04

Signature

Eugene A. Butcher  
Eugene A. Butcher

Date:

11-15-04

Signature

Wendy J. Butcher  
Wendy J. Butcher

[If joint case, both spouses must sign]

### DECLARATION UNDER PENALTY OF PERJURY ON BEHALF OF CORPORATION OR PARTNERSHIP

(NOT APPLICABLE)

**UNITED STATES BANKRUPTCY COURT**

**Northern District of Illinois  
Eastern Division**

In re: **Eugene A. Butcher**  
**xxx-xx-3937**

**Wendy J. Butcher**  
**xxx-xx-4612**

Case No. \_\_\_\_\_  
Chapter **13**

**STATEMENT OF FINANCIAL AFFAIRS**

**1. Income from employment or operation of business**

None  
☐

State the gross amount of income the debtor has received from employment, trade, or profession, or from operation of the debtor's business from the beginning of this calendar year to the date this case was commenced. State also the gross amounts received during the two years immediately preceding this calendar year. (A debtor that maintains, or has maintained, financial records on the basis of a fiscal rather than a calendar year may report fiscal year income. Identify the beginning and ending dates of the debtor's fiscal year.) If a joint petition is filed, state income for each spouse separately. (Married debtors filing under chapter 12 or chapter 13 must state income of both spouses whether or not a joint petition is filed, unless the spouses are separated and a joint petition is not filed.)

AMOUNT	SOURCE	FISCAL YEAR PERIOD
15,643.00	Employment	2001
	Employment	2002
31,200.00	Employment	2003

**2. Income other than from employment or operation of business**

None  
☒

State the amount of income received by the debtor other than from employment, trade, profession, or operation of the debtor's business during the two years immediately preceding the commencement of this case. Give particulars. If a joint petition is filed, state income for each spouse separately. (Married debtors filing under chapter 12 or chapter 13 must state income for each spouse whether or not a joint petition is filed, unless the spouses are separated and a joint petition is not filed.)

**3. Payments to creditors**

None  
☒

a. List all payments on loans, installment purchases of goods or services, and other debts, aggregating more than \$600 to any creditor, made within 90 days immediately preceding the commencement of this case. (Married debtors filing under chapter 12 or chapter 13 must include payments by either or both spouses whether or not a joint petition is filed, unless the spouses are separated and a joint petition is not filed.)

None  
☒

b. List all payments made within one year immediately preceding the commencement of this case to or for the benefit of creditors who are or were insiders. (Married debtors filing under chapter 12 or chapter 13 must include payments by either or both spouses whether or not a joint petition is filed, unless the spouses are separated and a joint petition is not filed.)

**4. Suits and administrative proceedings, executions, garnishments and attachments**

None  
☐

a. List all suits and administrative proceedings to which the debtor is or was a party within one year immediately preceding the filing of this bankruptcy case. (Married debtors filing under chapter 12 or chapter 13 must include information concerning either or both spouses whether or not a joint petition is filed, unless the spouses are separated and a joint petition is not filed.)

CAPTION OF SUIT AND CASE NUMBER	NATURE OF PROCEEDING	COURT OR AGENCY AND LOCATION	STATUS OR DISPOSITION
MidFirst Bank v. Wendy J. Butcher and Eugene A. Butcher 03 CH 718	Sheriff Sale	Circuit Court - 12th Judicial Circuit Will County, Illinois	Pending
Resurgence Financial, LLC v. Eugene A. Butcher and Wendy J. Butcher 03 AR 1725	Arbitration	Circuit Court, 12th Judicial Circuit Will County, Illinois	Pending

None ☒ b. Describe all property that has been attached, garnished or seized under any legal or equitable process within one year immediately preceding the commencement of this case. (Married debtors filing under chapter 12 or chapter 13 must include information concerning property of either or both spouses whether or not a joint petition is filed, unless the spouses are separated and a joint petition is not filed.)

#### 5. Repossessions, foreclosures and returns

None ☒ List all property that has been repossessed by a creditor, sold at a foreclosure sale, transferred through a deed in lieu of foreclosure or returned to the seller, within one year immediately preceding the commencement of this case. (Married debtors filing under chapter 12 or chapter 13 must include information concerning property of either or both spouses whether or not a joint petition is filed, unless the spouses are separated and a joint petition is not filed.)

#### 6. Assignments and receiverships

None ☒ a. Describe any assignment of property for the benefit of creditors made within 120 days immediately preceding the commencement of this case. (Married debtors filing under chapter 12 or chapter 13 must include any assignment by either or both spouses whether or not a joint petition is filed, unless the spouses are separated and a joint petition is not filed.)

None ☒ b. List all property which has been in the hands of a custodian, receiver, or court-appointed official within one year immediately preceding the commencement of this case. (Married debtors filing under chapter 12 or chapter 13 must include information concerning property of either or both spouses whether or not a joint petition is filed, unless the spouses are separated and a joint petition is not filed.)

#### 7. Gifts

None ☒ List all gifts or charitable contributions made within one year immediately preceding the commencement of this case except ordinary and usual gifts to family members aggregating less than \$200 in value per individual family member and charitable contributions aggregating less than \$100 per recipient. (Married debtors filing under chapter 12 or chapter 13 must include gifts or contributions by either or both spouses whether or not a joint petition is filed, unless the spouses are separated and a joint petition is not filed.)

### 8. Losses

None ☒ List all losses from fire, theft, other casualty or gambling within one year immediately preceding the commencement of this case or since the commencement of this case. (Married debtors filing under chapter 12 or chapter 13 must include losses by either or both spouses whether or not a joint petition is filed, unless the spouses are separated and a joint petition is not filed.)

### 9. Payments related to debt counseling or bankruptcy

None ☐ List all payments made or property transferred by or on behalf of the debtor to any persons, including attorneys, for consultation concerning debt consolidation, relief under the bankruptcy law or preparation of a petition in bankruptcy within one year immediately preceding the commencement of this case.

NAME AND ADDRESS OF PAYEE	DATE OF PAYMENT, NAME OF PAYOR IF OTHER THAN DEBTOR	AMOUNT OF MONEY OR DESCRIPTION AND VALUE OF PROPERTY
Terence M. Fenlon 445 W. Jackson Av. Suite 107 Naperville, IL 60540	12/04/03	\$491.00

### 10. Other transfers

None ☒ a. List all other property, other than property transferred in the ordinary course of the business or financial affairs of the debtor, transferred either absolutely or as security within one year immediately preceding the commencement of this case. (Married debtors filing under chapter 12 or chapter 13 must include transfers by either or both spouses whether or not a joint petition is filed, unless the spouses are separated and a joint petition is not filed.)

### 11. Closed financial accounts

None ☒ List all financial accounts and instruments held in the name of the debtor or for the benefit of the debtor which were closed, sold, or otherwise transferred within one year immediately preceding the commencement of this case. Include checking, savings, or other financial accounts, certificates of deposit, or other instruments; shares and share accounts held in banks, credit unions, pension funds, cooperatives, associations, brokerage houses and other financial institutions. (Married debtors filing under chapter 12 or chapter 13 must include information concerning accounts or instruments held by or for either or both spouses whether or not a joint petition is filed, unless the spouses are separated and a joint petition is not filed.)

### 12. Safe deposit boxes

None ☐ List each safe deposit or other box or depository in which the debtor has or had securities, cash, or other valuables within one year immediately preceding the commencement of this case. (Married debtors filing under chapter 12 or chapter 13 must include boxes or depositories of either or both spouses whether or not a joint petition is filed, unless the spouses are separated and a joint petition is not filed.)

NAME AND ADDRESS OF BANK OR OTHER DEPOSITORY	NAMES AND ADDRESSES OF THOSE WITH ACCESS TO BOX OR DEPOSITORY	DESCRIPTION OF CONTENTS	DATE OF TRANSFER OR SURRENDER, IF ANY
Harris Bank Bolingbrook, IL	Wendy & Eugene Butcher		

**13. Setoffs**

None ☒ List all setoffs made by any creditor, including a bank, against a debt or deposit of the debtor within 90 days preceding the commencement of this case. (Married debtors filing under chapter 12 or chapter 13 must include information concerning either or both spouses whether or not a joint petition is filed, unless the spouses are separated and a joint petition is not filed.)

**14. Property held for another person**

None ☒ List all property owned by another person that the debtor holds or controls.

**15. Prior address of debtor**

None ☒ If the debtor has moved within the two years immediately preceding the commencement of this case, list all premises which the debtor occupied during that period and vacated prior to the commencement of this case. If a joint petition is filed, report also any separate address of either spouse.

I declare under penalty of perjury that I have read the answers contained in the foregoing statement of financial affairs and any attachments thereto and that they are true and correct.

Date 11-15-04

Signature Eugene A. Butcher  
of Debtor

Date 11-15-04

Signature Wendy J. Butcher  
of Joint Debtor

**UNITED STATES BANKRUPTCY COURT**  
**Northern District of Illinois**  
**Eastern Division**

In re: **Eugene A. Butcher**

**Wendy J. Butcher**

Case No. \_\_\_\_\_  
Chapter **13**

Debtors

**DISCLOSURE OF COMPENSATION OF ATTORNEY  
FOR DEBTOR**

1. Pursuant to 11 U.S.C. § 329(a) and Bankruptcy Rule 2016(b), I certify that I am the attorney for the above-named debtor(s) and that compensation paid to me within one year before the filing of the petition in bankruptcy, or agreed to be paid to me, for services rendered or to be rendered on behalf of the debtor(s) in contemplation of or in connection with the bankruptcy case is as follows:

For legal services, I have agreed to accept	\$	<u>2,250.00</u>
Prior to the filing of this statement I have received	\$	<u>450.00</u>
Balance Due	\$	<u>1,800.00</u>

2. The source of compensation paid to me was:

☒ Debtor ☐ Other (specify)

3. The source of compensation to be paid to me is:

☒ Debtor ☐ Other (specify)

4. ☒ I have not agreed to share the above-disclosed compensation with any other person unless they are members and associates of my law firm.

☐ I have agreed to share the above-disclosed compensation with a person or persons who are not members or associates of my law firm. A copy of the agreement, together with a list of the names of the people sharing in the compensation, is attached.

5. In return for the above-disclosed fee, I have agreed to render legal service for all aspects of the bankruptcy case, including:

- a) Analysis of the debtor's financial situation, and rendering advice to the debtor in determining whether to file a petition in bankruptcy;
- b) Preparation and filing of any petition, schedules, statement of affairs, and plan which may be required;
- c) Representation of the debtor at the meeting of creditors and confirmation hearing, and any adjourned hearings thereof;
- d) [Other provisions as needed]  
None

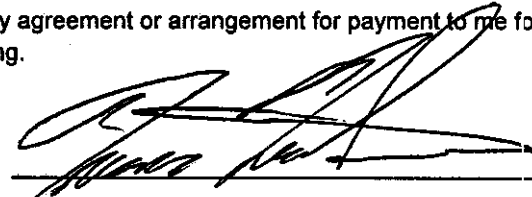
6. By agreement with the debtor(s) the above disclosed fee does not include the following services:

None

**CERTIFICATION**

I certify that the foregoing is a complete statement of any agreement or arrangement for payment to me for representation of the debtor(s) in this bankruptcy proceeding.

Dated: \_\_\_\_\_



**Terence M. Fenelon, Bar No. 03126087**

**Law Offices of Terence M. Fenelon**  
**Attorney for Debtor(s)**



United States Bankruptcy Court

Northern District of Illinois

Eastern Division

**NOTICE TO INDIVIDUAL CONSUMER DEBTOR**

The purpose of this notice is to acquaint you with the four chapters of the Federal Bankruptcy Code under which you may file a bankruptcy petition. The bankruptcy law is complicated and not easily described. Therefore, you should seek the advice of an attorney to learn of your rights and responsibilities under the law should you decide to file a petition with the court. Court employees are prohibited from giving you legal advice.

**Chapter 7: Liquidation (\$130.00 filing fee plus \$30.00 administrative fee plus \$15.00 trustee surcharge)**

1. Chapter 7 is designed for debtors in financial difficulty who do not have the ability to pay their existing debts.
2. Under chapter 7 a trustee takes possession of all your property. You may claim certain of your property as exempt under governing law. The trustee then liquidates the property and uses the proceeds to pay your creditors according to priorities of the Bankruptcy Code.
3. The purpose of filing a chapter 7 case is to obtain a discharge of your existing debts. If, however, you are found to have committed the certain kinds of improper conduct described in the Bankruptcy Code, your discharge may be denied by the court, and the purpose for which you filed bankruptcy petition will be defeated.
4. Even if you receive a discharge, there are some debts that are not discharged under the law. Therefore, you may still be responsible for such debts as certain taxes and student loans, alimony and support payments, criminal restitution, and debts for death or personal injury caused by driving while intoxicated from alcohol or drugs.
5. Under certain circumstances you may keep property that you have purchased subject to a valid security interest. Your attorney can explain the options that are available to you.

**Chapter 13: Repayment of All or Part of the Debts of an Individual with Regular Income (\$130.00 filing fee plus \$30.00 administrative fee)**

1. Chapter 13 is designed for individuals with regular income who are temporarily unable to pay their debts but would like to pay them in installments over a period of time. You are only eligible for chapter 13 if your debts do not exceed certain dollar amounts set forth in the Bankruptcy Code.
2. Under chapter 13 you must file a plan with the court to repay your creditors all or part of the money that you owe them, using your future earnings. Usually, the period allowed by the court to repay your debts is three years, but no more than five years. Your plan must be approved by the court before it can take effect.
3. Under chapter 13, unlike chapter 7, you may keep all your property, both exempt and non-exempt, as long as you continue to make payments under the plan.
4. After completion of payments under your plan, your debts are discharged except alimony and support payments, student loans, certain debts including criminal fines and restitution and debts for death or personal injury caused by driving while intoxicated from alcohol or drugs, and long term secured obligations.

**Chapter 11: Reorganization (\$800.00 filing fee)**

Chapter 11 is designed primarily for the reorganization of a business but is also available to consumer debtors. Its provisions are quite complicated, and any decision by an individual to file a chapter 11 petition should be reviewed with an attorney.

**Chapter 12: Family Farmer (\$200.00 filing fee)**

Chapter 12 is designed to permit family farmers to repay their debts over a period of time from future earnings and is in many ways similar to a chapter 13. The eligibility requirements are restrictive, limiting its use to those whose income arises primarily from a family owned farm.

I, the debtor, affirm that I have read this notice.

11-15-04

Date

11-15-04

Date

Eugene A. Butcher  
Eugene A. Butcher, Debtor

Wendy J. Butcher  
Wendy J. Butcher, Joint Debtor

Case Number